

Attorney Docket # 4925-213PUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Martin BERGENWALL et al.

Serial No.: 10/070,212

Filed: February 28, 2002

For: Advance Service Architecture For Next
Generation Network Services and Intelligent
Data Network Router

Examiner:

Group Art:

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

September 19, 2002

(Date of Deposit)

Michael C. Stuart

Name of applicant, assignee or Registered Representative

Michael C. Stuart

Signature

September 19, 2002

Date of Signature

PCT Legal Office

Assistant Commissioner for Patents

Washington, DC 20231

PETITION UNDER 37 C.F.R. §1.497(d)

SIR:

This Petition is in response to the "Notification Regarding Defective Declaration and Requirement For New Declaration Or Request Under 37 CFR 1.498(d)" mailed August 23, 2002, and the "Notification Of Missing Requirements" mailed April 19, 2002. Applicants hereby request that additional inventors be named on the above-identified U.S. patent application.

Attached hereto in support of this Petition is a Declaration of the persons to be added as new co-inventors (Tab 1), an Assignment of the above-identified U.S. patent application to Nokia Corporation (Tab 2), a Consent of Assignee (Tab 3) to the addition of the new co-inventors, and a Declaration of all of the co-inventors (Tab 4). Also enclosed herewith is a check for \$130 to pay the fee for this Petition. If any additional fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

The above-identified U.S. patent application is a U.S. national phase application of PCT international application No. PCT/EP00/03478. When the PCT application was filed only three inventors (the "Original Inventors") were named:

09/26/2002 MKAYPAGH 00000071 10070212

01 FC:122

130.00 OP

Martin BERGENWALL
Kengatharan SIVALINGHAM
Sami USKELA

Subsequently, it was determined that the following persons (the "Added Inventors") were not named as co-inventors on the PCT application although they should also have been named as co-inventors:

Hakan MITTS
Petteri PÖYHÖNEN
Aapo RAUTIAINEN
Mari NIEMINEN
Eva-Maria LEPPÄNEN
Lucia TUDOSE
Andrei KRÜGER

Attached hereto (Tab 1) is a Declaration signed by each of the above named Added Inventors pursuant to 37 C.F.R. §1.497(d)(1). This Declaration states that the Added Inventors should have been named as co-inventors on that PCT application (see paragraph 2), and therefore should be named as co-inventors on the above-identified U.S. patent application (see paragraph 1). The Declaration of the Added Inventors also states that the omission of the names of the Added Inventors as co-inventors on the PCT application was an error which occurred without deceptive intention on the part of the Added Inventors (see paragraph 3).

All ten of the above named inventors have signed an Assignment of the above-identified U.S. application to Nokia Corporation. A copy of this Assignment is attached hereto (Tab 2), pursuant to 37 C.F.R. §3.73(b)(1)(i). This Assignment was forwarded by the undersigned on June 12, 2002 to the U.S. Patent Office for recording. The undersigned has not yet received notification from the U.S. Patent Office that the Assignment has been recorded by the U.S. Patent Office.

The Assignee of the above-identified U.S. Patent application, Nokia Corporation, has consented to the addition of the Added Inventors as co-inventors on the above-identified U.S. patent application, as indicated in the attached Consent Of Assignee (Tab 3), see paragraph 7, which is submitted pursuant to 37 C.F.R. §1.497(d)(3) and includes a statement in paragraph 8 pursuant to 37 C.F.R. §3.73(b)(2)(i).

Pursuant to 37 C.F.R. §1.497(d)(4), attached hereto (Tab 4) is a Declaration signed by all ten co-inventors of the above-identified U.S. patent application. This Declaration was already filed in

the U.S. Patent Office on June 12, 2002 in response to the "Notification Of Missing Requirements" mailed April 19, 2002.

Applicants submit that this Petition and attachments fulfill all of the requirements for permitting the present application to name as co-inventors the three Original Inventors and the seven Added Inventors.

Applicants request that this Petition be granted.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By 

Michael C. Stuart
Reg. No. 35,698
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: September 19, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Martin BERGENWALL et al.

Serial No.: 10/070,212

Filed: February 28, 2002

For: Advance Service Architecture For Next
Generation Network Services and Intelligent
Data Network Router

DECLARATION OF ADDED INVENTORS

We, Hakan MITTS, Petteri PÖYHÖNEN, Aapo RAUTIAINEN, Mari NIEMINEN, Eva-Maria LEPPÄNEN, Lucia TUDOSE, and Andrei KRÜGER, hereby declare and state that:

1. We request that we be added as co-inventors on the above-identified U.S. patent application which we have been informed is a U.S. national phase application of PCT international application No. PCT/EP00/03478.
2. Our names were not included as co-inventors in PCT international application No. PCT/EP00/03478, although we should have been named as co-inventors on that application.
3. The omission of our names as co-inventors on PCT international application No. PCT/EP00/03478 was an error which occurred without deceptive intention on our parts.
4. All statements made of our own knowledge are true and all statements made on information and belief are believed to be true.

5. We declare under penalty of perjury that the foregoing is true and correct. We understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. §1001) and may jeopardize the validity of this application or any patent issuing thereon.

Dated: September 10, 2002


Hakan MITTS

Dated: September __, 2002

Petteri PÖYHÖNEN

Dated: September __, 2002

Aapo RAUTIAINEN

Dated: September __, 2002

Mari NIEMINEN

Dated: September __, 2002

Eva-Maria LEPPÄNEN

Dated: September __, 2002

Lucia TUDOSE

Dated: September __, 2002

Andrei KRÜGER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

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Dated: September 1, 2002

Hakan MITTS

Dated: September 10, 2002

Petteri PÖYHÖNEN

Dated: September 1, 2002

Aapo RAUTIAINEN

Dated: September 1, 2002

Mari NIEMINEN

Dated: September 1, 2002

Eva-Maria LEPPÄNEN

Dated: September 1, 2002

Lucia TUDOSE

Dated: September 1, 2002

Andrei KRÜGER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Dated: September __, 2002

Hakan MITTS

Dated: September __, 2002

Petteri PÖYHÖNEN

Dated: September 10, 2002



Aapo RAUTIAINEN

Dated: September __, 2002

Mari NIEMINEN

Dated: September __, 2002

Eva-Maria LEPPÄNEN

Dated: September __, 2002

Lucia TUDOSE

Dated: September __, 2002

Andrei KRÜGER

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Dated: September 1, 2002

X
Håkan MITTS

Dated: September 1, 2002

X
Petteri PÖYHÖNEN

Dated: September 1, 2002

X
Aapo RAUTIAINEN

Dated: September 12, 2002

X M. N.
Mari NIEMINEN

Dated: September 1, 2002

X
Eva-Maria LEPPÄNEN

Dated: September 1, 2002

X
Lucia TUDOSE

Dated: September 1, 2002

X
Andrei KRÜGER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Dated: September ___, 2002

Hakan MITTS

Dated: September ___, 2002

Petteri PÖYHÖNEN

Dated: September ___, 2002

Aapo RAUTIAINEN

Dated: September ___, 2002

Mari NIEMINEN

Dated: September 10, 2002

Eva Leppänen

Eva-Maria LEPPÄNEN

Dated: September ___, 2002

Lucia TUDOSE

Dated: September ___, 2002

Andrei KRÜGER

U 33670

Attorney Docket # 4925-213PUS

Patent

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Dated: September 1, 2002

Hakan MITTS

Dated: September 1, 2002

Petteri PÖYHÖNEN

Dated: September 1, 2002

Aapo RAUTIAINEN

Dated: September 1, 2002

Mari NIEMINEN

Dated: September 1, 2002

Eva-Maria LEPPÄNEN

Dated: September 10, 2002

T. Lucia
Lucia TUDOSE

Dated: September 1, 2002

Andrei KRÜGER

11 32670

Attorney Docket # 4925-213PUS

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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
DECLARATION OF ADDED INVENTORS

We, Håkan MITTS, Petteri PÖYHÖNEN, Aapo RAUTIAINEN, Mari NIEMINEN, Eva-Maria LEPPÄNEN, Lucia TUDOSE, and Andrei KRÜGER, hereby declare and state that:

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
5. We declare under penalty of perjury that the foregoing is true and correct. We understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. §1001) and may jeopardize the validity of this application or any patent issuing thereon.

Dated: September 1, 2002



Hakan MITTS

Dated: September 3, 2002



Petteri PÖYHÖNEN

Dated: September 3, 2002



Aapo RAUTIAINEN

Dated: September 3, 2002



Mari NIEMINEN

Dated: September 3, 2002



Eva-Maria LEPPÄNEN

Dated: September 3, 2002



Lucia TUDOSE

Dated: September 16, 2002



Andrei KRÜGER

ASSIGNMENT

In consideration of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged, We the undersigned, **Martin BERGENWALL, Kengatharan SIVALINGAM, Sami USKELA, Hakan MITTS, Petteri PÖYHÖNEN, Aapo RAUTIAINEN, Mari K. NIEMINEN, Eva-Maria LEPPÄNEN, Lucia TUDOSE, Andrei KRÜGER** (hereinafter referred to as "ASSIGNOR"):

Hereby sell, assign and transfer to **Nokia Corporation** (hereinafter referred to as "ASSIGNEE"), a corporation of Finland, having a place of business at Keilalahdentie 4, FIN-02150 Espoo, Finland, its successors, assigns and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which is the U.S. national stage application of International PCT Application No. **PCT/EP00/03478**, filed on **17 April 2000**, and which is entitled

ADVANCE SERVICE ARCHITECTURE FOR NEXT GENERATION NETWORK SERVICES AND INTELLIGENT DATA NETWORK ROUTER

Serial No. 10/070,212 with a filing date of February 28, 2002, and in and to said application and all divisional, continuing, substitute, renewal, reissue, and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said improvements;


Agree that said Assignee may apply for and receive Letters Patent for said improvements in its own name, and that, when requested, without charge to but at the expense of said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute,

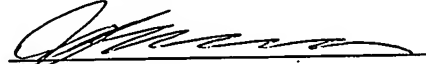
renewal, reissue, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers, communicate to said Assignee, its successors, assigns, and representatives, all facts known to the undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: 4/12/2002
month/day/year

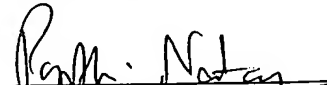

Martin BERGENWALL

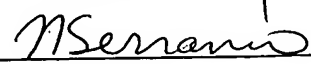

Witness


Witness

Date: 5/28/2002
month/day/year


Kengatharan SIVALINGAM


Witness


Witness

Date: 09/15/2002
month/day/year

Sami USKELA
Sami USKELA

Witness
Witness

Date: 04/05/2002
month/day/year

Hakan MITTS
Hakan MITTS

Witness
Witness

Date: 4/12/2002
month/day/year

Petteri PÖYHÖNEN
Petteri PÖYHÖNEN

Witness
Witness

Witness
Witness

Date: 4/17/2002
month/day/year

Aapo RAUTIAINEN
Aapo RAUTIAINEN

Witness
Witness

Witness
Witness

Date: 4/26/02
month/day/year

M. Nieminen
Mari K. NIEMINEN

[Signature]
Witness
[Signature]
Witness

Date: _____
month/day/year

Eva-Maria Leppanen
Eva-Maria LEPPÄNEN

[Signature]
Witness
[Signature]
Witness

Date: 4/17/02
month/day/year

Lucia Tudose
Lucia TUDOSE

[Signature]
Witness
[Signature]
Witness

Date: 4/24/02
month/day/year

Andrei Krüger
Andrei KRÜGER

[Signature]
Witness
[Signature]
Witness

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Martin BERGENWALL et al.

Serial No.: 10/070,212

Filed: February 28, 2002

For: Advance Service Architecture For Next
Generation Network Services and Intelligent
Data Network Router

CONSENT OF ASSIGNEE

I, Erik Yli-Juntti, hereby declare and state that:

1. I am an employee of Nokia Corporation, a corporation of Finland, having a place of business at Keilalahdentie 4, FIN-02150 Espoo, Finland.

2. I have been informed that the above-identified U.S. patent application is a U.S. national phase application of PCT international application No. PCT/EP00/03478.

3. I have been informed that the following persons were not named as co-inventors on PCT international application No. PCT/EP00/03478:

Hakan MITTS, Petteri PÖYHÖNEN, Aapo RAUTIAINEN, Mari NIEMINEN, Eva-Maria LEPPÄNEN, Lucia TUDOSE, and Andrei KRÜGER

4. I have been informed that although the persons named in paragraph 3 above were not included as co-inventors in PCT international application No. PCT/EP00/03478, they should have been named as co-inventors on that application.

5. I have been informed that the omission of the persons named in paragraph 3 above as co-inventors on PCT international application No. PCT/EP00/03478 was an error which occurred without deceptive intention on those persons' parts.

6. I have been informed that the three persons named as inventors on PCT international application No. PCT/EP00/03478, Martin BERGENWALL, Kengatharan SIVALINGHAM and Sami USKELA have executed an Assignment of U.S. Patent Application Serial No. 10/070,212, the U.S. national phase application of PCT international application No. PCT/EP00/03478. I have been informed that that Assignment assigns ownership in U.S. Patent Application Serial No. 10/070,212 to Nokia Corporation, identified in paragraph 1, above. I have been informed that that Assignment has been forwarded to the U.S. Patent Office for recording.


7. Nokia Corporation hereby consents to the addition the persons named in paragraph 3 above as co-inventors on U.S. Patent Application Serial No. 10/070,212.

8. I am a person authorized to act on behalf of Nokia Corporation with respect to consenting to the addition of the persons named in paragraph 3 above as co-inventors on U.S. Patent Application Serial No. 10/070,212.

9. All statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

10. I declare under penalty of perjury that the foregoing is true and correct. I understand that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. §1001) and may jeopardize the validity of this application or any patent issuing thereon.

Dated: September 10, 2002



Erik M. Junt
For Nokia Corporation

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY
Includes Reference to PCT International Applications

Attorney's Docket No.
4925-213PUS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ADVANCE SERVICE ARCHITECTURE FOR NEXT GENERATION NETWORK SERVICES AND INTELLIGENT DATA NETWORK ROUTER

the specification of which (check only one item below)

☐ is attached hereto

☒ was filed as United States application

Serial No. 10/070,212

on 28 February 2002

and was amended

on 28 February 2002 (if applicable).

☐ was filed as PCT international application

Number PCT/EP00/03478

on 17 April 2000

and was amended under PCT Article 19

on _ (if applicable).


I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

PRIOR FOREIGN/PCT APPLICATIONS AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

Country (if PCT, indicate "PCT")	Application Number	Date of Filing (day, month, year)	Priority Claimed Under 35 U.S.C. 119	
PCT	PCT/EP99/06759	13 September 1999	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
PCT	PCT/EP00/03478	17 April 2000	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO
			<input type="checkbox"/> YES	<input type="checkbox"/> NO

Combined Declaration for Patent Application and Power of Attorney (Continued) (Includes Reference to PCT International Applications)				Attorney's Docket No. 4925-213PUS	
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:					
PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:					
U.S. APPLICATIONS			STATUS (check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED	
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)			
PCT/EP00/03478	17 April 2000		x		
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Combined Declaration for Patent Application and Power of Attorney (Continued)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202	SIGNATURE OF INVENTOR 203
DATE 4/12/2002	DATE 5/28/2002	DATE 15/04/2002
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DATE 25.4.02	DATE 25.4.02	DATE 16.5.02
SIGNATURE OF INVENTOR 210	SIGNATURE OF INVENTOR 211	SIGNATURE OF INVENTOR 212
DATE 04/29/2002	DATE	DATE